



02-28-02

DAC \$ # 3

**PATENT**  
Atty Docket No. 390073  
Express Mail No. EV 008780259 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Guillory, Andre P.  
Serial No. 09/804,772  
Filed: March 13, 2001  
For: System For Selective Notification Of  
Severe Weather Events

Examiner: P. Nguyen  
Group Art Unit: 2632

**RECEIVED**  
MAR 04 2002  
OFFICE OF PETITIONS

Box: DAC  
Commissioner for Patents  
Washington, D.C. 20231

**PETITION TO ACCEPT AN UNINTENTIONALLY  
DELAYED CLAIM OF PRIORITY UNDER 35 U.S.C. 119, 120, 121, OR 365(c)**

Dear Sir:

Pursuant to 37 C.F.R. § 1.78(a)(6), Applicant hereby petitions for the acceptance of applicant's priority claim under 35 U.S.C. § 119 to patent application serial number 60/189,160, filed March 14, 2000, entitled In Home/Office Tornado Alert System. Inventorship and ownership of the '772 application and the '160 application are the same. Concurrent with the

---

**CERTIFICATE UNDER 37 C.F.R. § 1.8 and § 1.10**

I hereby certify that, on the date shown below, this correspondence is being

- ☒ deposited with the United States Postal Service in an envelope addressed to Box DAC, Commissioner for Patents, Washington, D.C. 20231 with sufficient postage:

**MAILING**

**37 C.F.R. § 1.8**  
☐ as first class mail.

☒ **37 C.F.R. § 1.10**  
as "Express Mail Post Office to Addressee"  
EXPRESS MAIL NO. EV008780259US

**FACSIMILE TRANSMISSION**

☐ transmitted by facsimile to the Patent and Trademark Office.

Wendy Precht Wendy Precht  
Name of Depositor Signature

February 25, 2002  
Date

1026833.1

**PATENT**  
Atty Docket No. 390073  
Express Mail No. EV 008780259 US

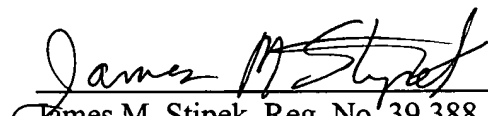
date of this Petition, applicant is submitting an Amendment requesting the claim of priority be entered in the specification of the application. A petition for a one month extension of time is included in with that Amendment. Applicant has attached a copy of that Amendment and the petition for one month extension of time hereto and asks that the Amendment be entered.

Applicant also states the entire delay between the date the priority claim was due and the date the claim was filed was unintentional.

The Commissioner is authorized to withdraw \$1,280.00, as identified in 37 C.F.R. § 1.17(t), from Deposit Account No. 12-0600 for this Petition fee. In the event that the foregoing request or fee calculation are incorrect, this Petition should be construed as one for sufficient time to permit the timely filing of the present reply. The Commissioner is authorized to charge any additional fee that may be required, or credit any overpayment, to Deposit Account No. 12-0600.

It is respectfully requested that this Petition be granted.

LATHROP & GAGE, L.C.

  
James M. Stipek, Reg. No. 39,388  
2345 Grand Boulevard, Suite 2800  
Kansas City, MO 64108  
(816) 460-5848(Telephone)  
(816) 292-2001 (Facsimile)

**CERTIFICATE OF MAILING**

Applicant(s): Guillory, Andre P.

Serial No.	Filing Date	Examiner	Matter No.
09/804,772	March 13, 2001	Nguyen, P.	390073

Title: System for Selective Notification of Severe Weather Events

I hereby certify that this Certificate of Mailing (1 page); Transmittal (2 pages, in duplicate); Petition to Accept an Unintentionally Delayed Claim of Priority (2 pages, including a copy of an Amendment); authorization to charge Deposit Account No. 12-0600 in the amount of \$1,280.00 for the filing fee; authorization to charge additional fees that may be required, or credit any overpayment, to Deposit Account No. 12-0600; and prepaid postcard are being deposited with the United States Postal Service Express Mail Post Office to Addressee in an envelope addressed to: Box DAC, Commissioner for Patents, Washington, D.C. 20231, on this 25<sup>th</sup> day of February, 2002.

Wendy Precht  
(Name of Depositor)

Wendy Precht  
Signature of Depositor

EV008780259US

Express Mail Label No.



**PATENT**  
Atty Docket No. 390037  
Express Mail Label No. EL830787035US

#4  
Andya  
5.21.02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Guillory, Andre P.

Serial No.: 09/804,772

Filed: March 13, 2001

For: System for Selective Notification of Severe  
Weather Events

Group No.: 2632

Examiner: P. Nguyen

**Box Fee Amendment  
Commissioner for Patents  
Washington, D.C. 20231**

**RECEIVED**  
MAR 04 2002  
OFFICE OF PETITIONS

**AMENDMENT**

Please amend the above identified application as follows.

**In the Specification**

Please amend the specification as follows. Immediately below is the clean set of the amended paragraphs for the specification. The marked up version of the paragraphs for the specification is set out after the signatory page of this Amendment.

On page 1, after the Title and before the section entitled **Background of the Invention**, please insert:

**CERTIFICATE UNDER 37 C.F.R. § 1.8 and § 1.10**

I hereby certify that, on the date shown below, this correspondence is being

- ☐ deposited with the United States Postal Service in an envelope addressed to Box Fee Amendment, Commissioner for Patents, Washington, D.C. 20231 with sufficient postage:

**MAILING**

- ☐ 37 C.F.R. § 1.8  
as first class mail.

- ☒ 37 C.F.R. § 1.10  
as "Express Mail Post Office to Addressee"  
EXPRESS MAIL NO. EL830787035

**FACSIMILE TRANSMISSION**

- ☐ transmitted by facsimile to the U.S. Patent and Trademark Office.

Wendy Precht  
Name of Depositor

Wendy Precht  
Signature

2/25/02  
Date

--Cross Reference to Related Applications

AI  
This application claims benefit of priority to U.S. Application Serial No. 60/189,160, filed March 14, 2000, and entitled In Home/Office Tornado Alert System, which is incorporated herein by reference.--

Remarks

The Examiner rejected the present application as being unpatentable over U.S. Patent No. 6,295,001, issued to Barber (the "Barber patent"). On the face of the Barber patent, the Barber patent has an identified filing date of August 21, 2000 (the "Barber patent filing date"), and an issue date of September 25, 2001.

Applicant submits herewith an Affidavit under 37 CFR §1.131 stating that Applicant conceived of, and reduced, the invention hereof prior to the Barber patent filing date, and that Applicant practiced due diligence from the time of the date of invention to the time the present patent application was filed. Additionally, Applicant has filed separately, although on the same date as this Amendment, a Petition to Accept an Unintentionally Delayed Claim of Priority. The claim has been made to claim priority for the present application to U.S. Application Serial No. 60/189,160, filed March 14, 2000, and entitled In Home/Office Tornado Alert System. A copy of that Petition is included as Exhibit D to the Affidavit filed herewith.

Since Applicant has sworn behind the Barber patent, Applicant requests that the rejection based on that reference be removed. No other rejections are pending. Therefore, Applicant requests that a Notice of Allowance be issued.

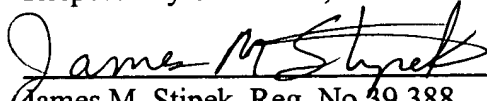
No new matter has been added. Thus, no new review is required, and no new search is required.

The references cited by the Examiner and made of record have been reviewed by Applicant. Applicant has no further remarks with regard thereto.

Based on the foregoing, it is submitted that the Applicant's invention as defined by the claims is patentable over the references of record. Issuance of a Notice of Allowance is solicited.

Applicant's attorney welcomes the opportunity to discuss the case with the Examiner in the event that there are any questions or comments regarding this response or the application.

Respectfully Submitted,

  
James M. Stipek, Reg. No 39,388  
Lathrop & Gage, L.C.  
2345 Grand Boulevard, Suite 2800  
Kansas City, MO 64106  
Tel: (816) 460-5848  
Fax: (816) 292-2001  
Attorney for Applicants

JMS/1026888

**Marked up Specification**

On page 1, after the Title and before the section entitled **Background of the Invention**, please insert:

**--Cross Reference to Related Application**

This application claims benefit of priority to U.S. Application Serial No. 60/189,160, filed March 14, 2000, and entitled In Home/Office Tornado Alert System, which is incorporated herein by reference.--

JMS/1026888

AFFIDAVIT UNDER 37 C.F.R. § 1.131

I, Andre P. Guillory, state as follows.

-1. I am the inventor of U.S. Patent Application Serial No. 09/804,772, filed March 13, 2001, entitled System for Selective Notification of Severe Weather Events, (the "'772 patent application").

2. The '772 patent application was rejected as being unpatentable over U.S. Patent No. 6,295,001, issued to Barber (the "Barber patent"). On the face of the Barber patent, the Barber patent has an identified filing date of August 21, 2000 (the "Barber patent filing date"), and an issue date of September 25, 2001.

3. My invention, as identified in the '772 patent application, was conceived and reduced to practice prior to the Barber patent filing date. I practiced due diligence between the time of my date of invention to the time the '772 patent application was filed. The following paragraphs provide support thereof.

4. On March 14, 2000, I filed a provisional patent application assigned U.S. Patent Application Serial No. 60/189,160, entitled In Home/Office Tornado Alert System (the "'160 patent application"), a copy of which is attached hereto as Exhibit A and incorporated herein by reference.


5. Attached hereto as Exhibit B, and incorporated herein by reference, is the filing receipt for the '160 patent application.

6. Attached hereto as Exhibit C, and incorporated herein by reference, is a copy of a patent search I completed with the U.S. Patent & Trademark Office. The sales slip for this search is dated February 10, 2000.



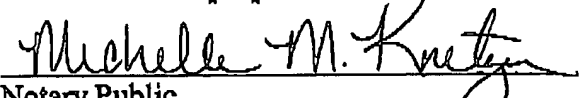
7. Further, I will file (through my attorney), on the date concurrent herewith, a petition for acceptance of an unintentionally delayed claim for priority to the '160 patent application. A copy of that petition is attached hereto as Exhibit D, and incorporated herein by reference. Further, an amendment requesting that the specification of the '772 patent application be amended to include the delayed claim for priority is filed concurrently herewith.

EXECUTED this 25 day of February, 2002.

  
Andre P. Guillory

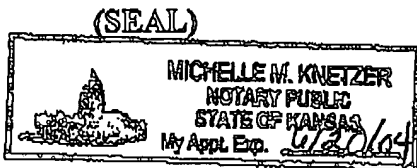
STATE OF Kansas )  
COUNTY OF Sedgwick ) ss.

On this 25<sup>TH</sup> day of February, 2002, before me personally appeared Andre P. Guillory, to me known to be the person described in, and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same for the uses and purposes therein set forth.

  
Notary Public

My Commission Expires:

June 20, 2004



JMS/1026851

1800 786 9189

Please type a plus sign (+) inside this box → ☒

PTO/SB/16 (12-97)  
 Approved for use through 1/31/98. OMB 0651-0037  
 Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE  
 valid OMB control number.

**PROVISIONAL APPLICATION FOR PATENT COVER SHEET**

This is a request for filing a PROVISIONAL APPLICATION FOR PATENT under 37 CFR 1.53 (c).

INVENTOR(S)					
Given Name (first and middle (if any))		Family Name or Surname		Residence (City and either State or Foreign Country)	
ANDRE' PAUL		Guillory		150 Peachwood Dr. Haysville KS 67060	
<input type="checkbox"/> Additional inventors are being named on the _____ separately numbered sheets attached hereto					
TITLE OF THE INVENTION (280 characters max)					
IN Home / OFFICE TORNADO ALERT SYSTEM					
Direct all correspondence to: CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number		<input type="text"/>		Place Customer Number Bar Code Label here	
OR Type Customer Number here					
<input checked="" type="checkbox"/> Firm or Individual Name		ANDRE' PAUL Guillory			
Address		150 PEACHWOOD DR.			
Address		1			
City		Haysville		State	KS
Country		SEDGWICK		ZIP	67060
		Telephone		316 522 9168	Fax
ENCLOSED APPLICATION PARTS (check all that apply)					
<input checked="" type="checkbox"/> Specification Number of Pages		1		<input checked="" type="checkbox"/> Small Entity Statement	
<input checked="" type="checkbox"/> Drawing(s) Number of Sheets		3		<input type="checkbox"/> Other (specify)	
METHOD OF PAYMENT OF FILING FEES FOR THIS PROVISIONAL APPLICATION FOR PATENT (check one)					
<input checked="" type="checkbox"/> A check or money order is enclosed to cover the filing fees				FILING FEE AMOUNT (\$)	
<input type="checkbox"/> The Commissioner is hereby authorized to charge filing fees or credit any overpayment to Deposit Account Number:				75.00	
The invention was made by an agency of the United States Government or under a contract with an agency of the United States Government.					
<input checked="" type="checkbox"/> No.					
<input type="checkbox"/> Yes, the name of the U.S. Government agency and the Government contract number are:					

Respectfully submitted,

SIGNATURE

Andre' P. Guillory

Date

3/14/00

TYPED or PRINTED NAME

ANDRE' P. Guillory

REGISTRATION NO.

(if appropriate)

TELEPHONE

316-522-9168 Home  
" 832-3152 work

Docket Number:

**USE ONLY FOR FILING A PROVISIONAL APPLICATION FOR PATENT**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Box Provisional Application, Assistant Commissioner for Patents, Washington, DC 20231

EXHIBIT A

**STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b))—INDEPENDENT INVENTOR**

Docket Number (Optional)

Applicant, Patentee, or Identifier: ANDRE P. GUILLORY

Application or Patent No.: \_\_\_\_\_

Filed or Issued: \_\_\_\_\_

Title: INHOME/OFFICE TORNADO ALERT SYSTEM

As a below named inventor, I hereby state that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office described in:

- ☒ the specification filed herewith with title as listed above.  
☒ the application identified above.  
☐ the patent identified above.

I have not assigned, granted, conveyed, or licensed, and am under no obligation under contract or law to assign, grant, convey, or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern, or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.  
☐ Each such person, concern, or organization is listed below.

Separate statements are required from each named person, concern, or organization having rights to the invention stating their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

ANDRE PAUL GUILLORY  
NAME OF INVENTOR

NAME OF INVENTOR

NAME OF INVENTOR

Andre Paul Guillory  
Signature of inventor

Signature of inventor

Signature of inventor

Date

Date

Date

COMPLETED MAR 03 2000

## IN HOME / OFFICE TORNADO ALERT SYSTEM

This invention relates to In home/office tornado alert system. More specifically it relates to a tornado alert system which will alert homeowners/ office personnel of Tornado activity / sightings at the same time as the Civil Defense Police Departments sound current siren alerts.

Tornados are the worlds most destructive and active weather related danger. They have caused extensive damage to property and person even taken lives. If you can notify people at all times , day or night , while at home sleeping or awake, you can give them just a few more precious minutes or even seconds, to seek shelter in the home or nearby shelters.

Various Tornado warning systems have been developed for detecting Tornados, I don't propose to make any attempt develop these any further, rather to improve the ability to alert person in the path of Tornados, to give them as much time to seek shelter from these Masters of Destruction.

### SUMMARY OF THE INVENTION

It is the primary objective of this invention, to improve the current Tornado Alert Systems, by improving our ability to alert persons. Day or Night, at home as well as in the office/ business.

The technology for the alert system will allow a reliable alert system with message and alert tone capability.

The power source for the system will be provided by AC 120 V. or DC/AA battery backup.

The signal for the In Home/ Office System will be received by a built in high frequency radio receiver, which will pickup specific signals transmitted by the control unit at current siren capability as well as rural locations.

Each receiver will be programmed with a location address - numerical in nature. This address will allow specific receivers to be placed in homes and businesses in the same area to receive the alert messages and tones from their respective transmitting controllers. The receivers will all operate on the same frequency, but addresses all the receivers to disregard messages from overlapping controllers signals.

The receiver will have a microprocessor to provide the capability of tones ,messages, signals ,alert for low battery ,AC power failures etc.... It will also have the ability to do self checks and testing of its internal functions.

I have prepared a drawing of a community with present day siren alert towers, coverage and the coverage using the IN HOME/OFFICE TORNADO ALERT SYSTEM. Also I have attached a simple drawing of the in home unit and the controller.

INVENTOR: ANDRE' P.GUILLORY

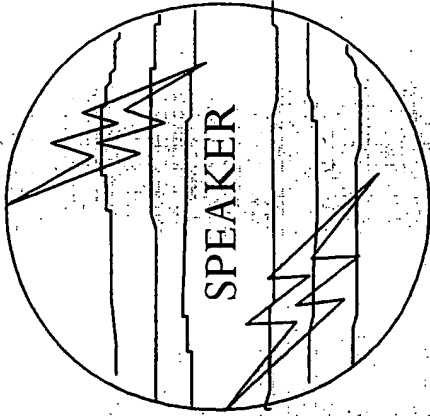
# IN HOME / OFFICE TORNADO ALERT SYSTEM

MESSAGE VIEW WINDOW

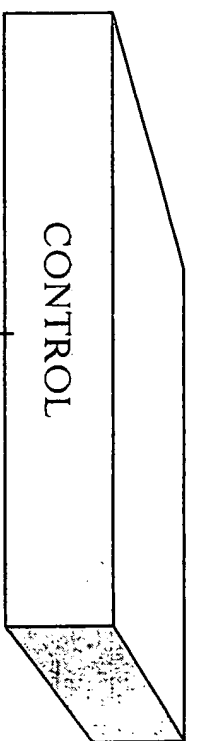
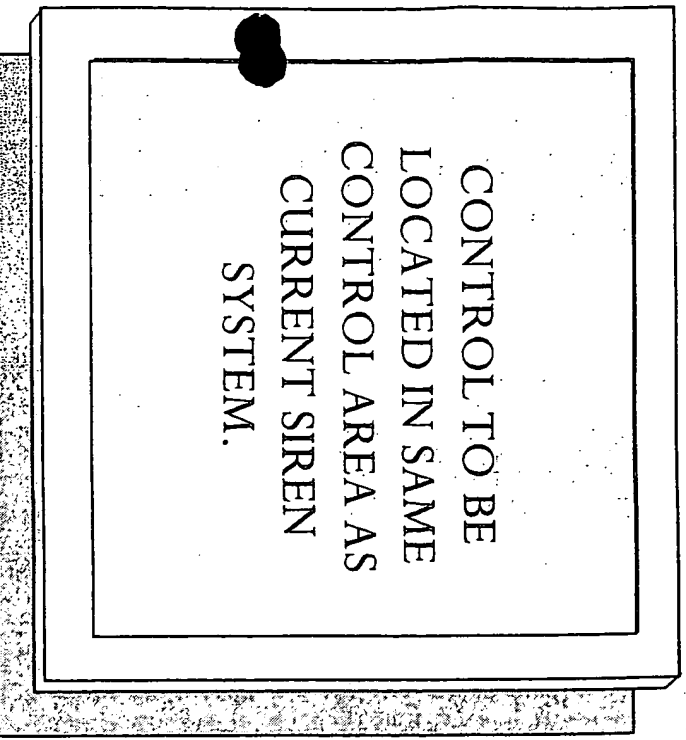
TEST

TONES

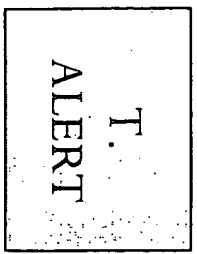
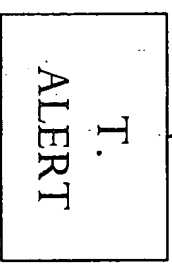
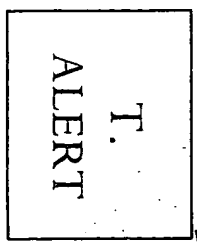
CLEAR



# IN HOME/OFFICE TORNADO ALERT SYSTEM

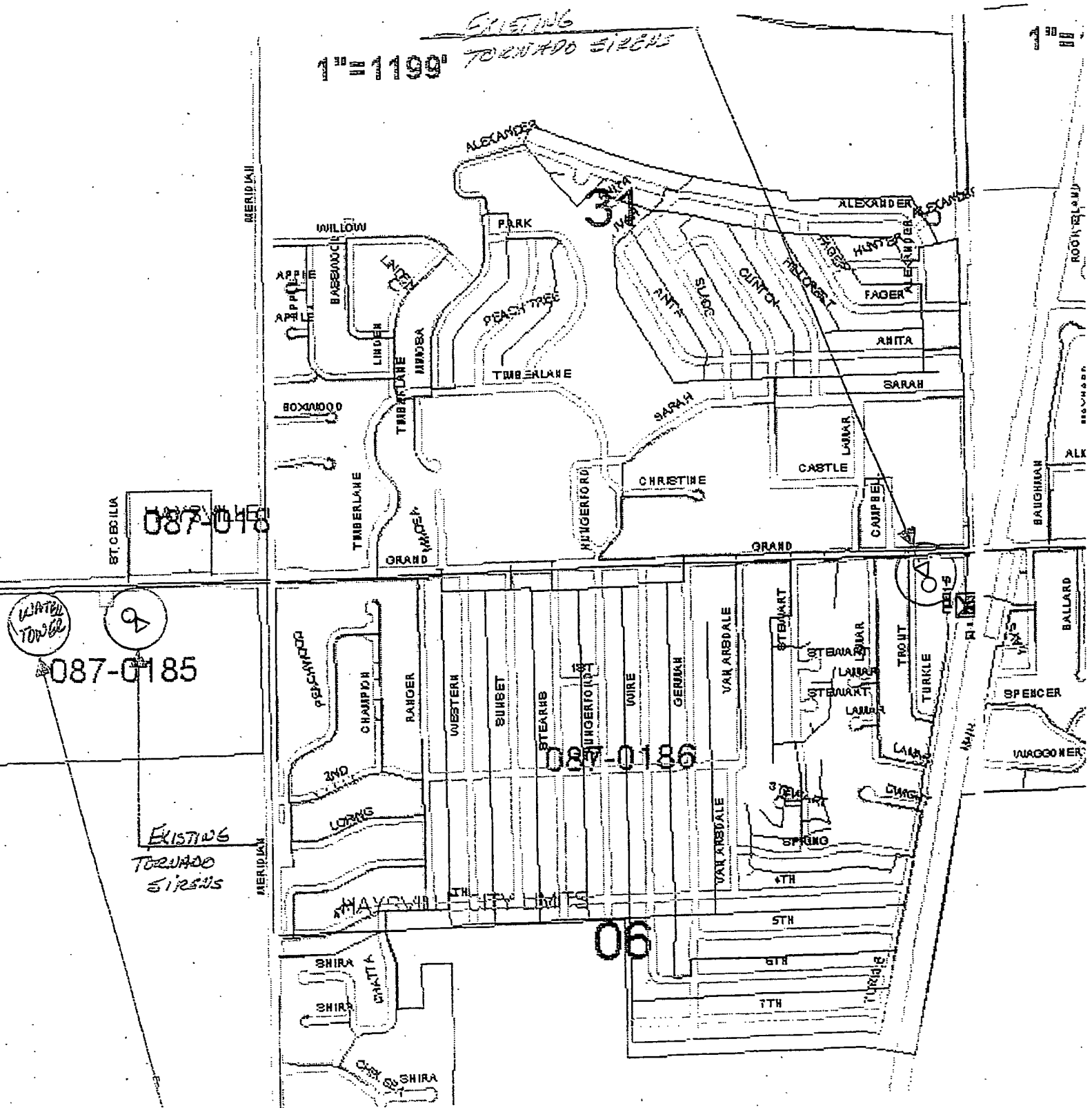


*SIREN  
ANTENNA  
located behind  
transmission*



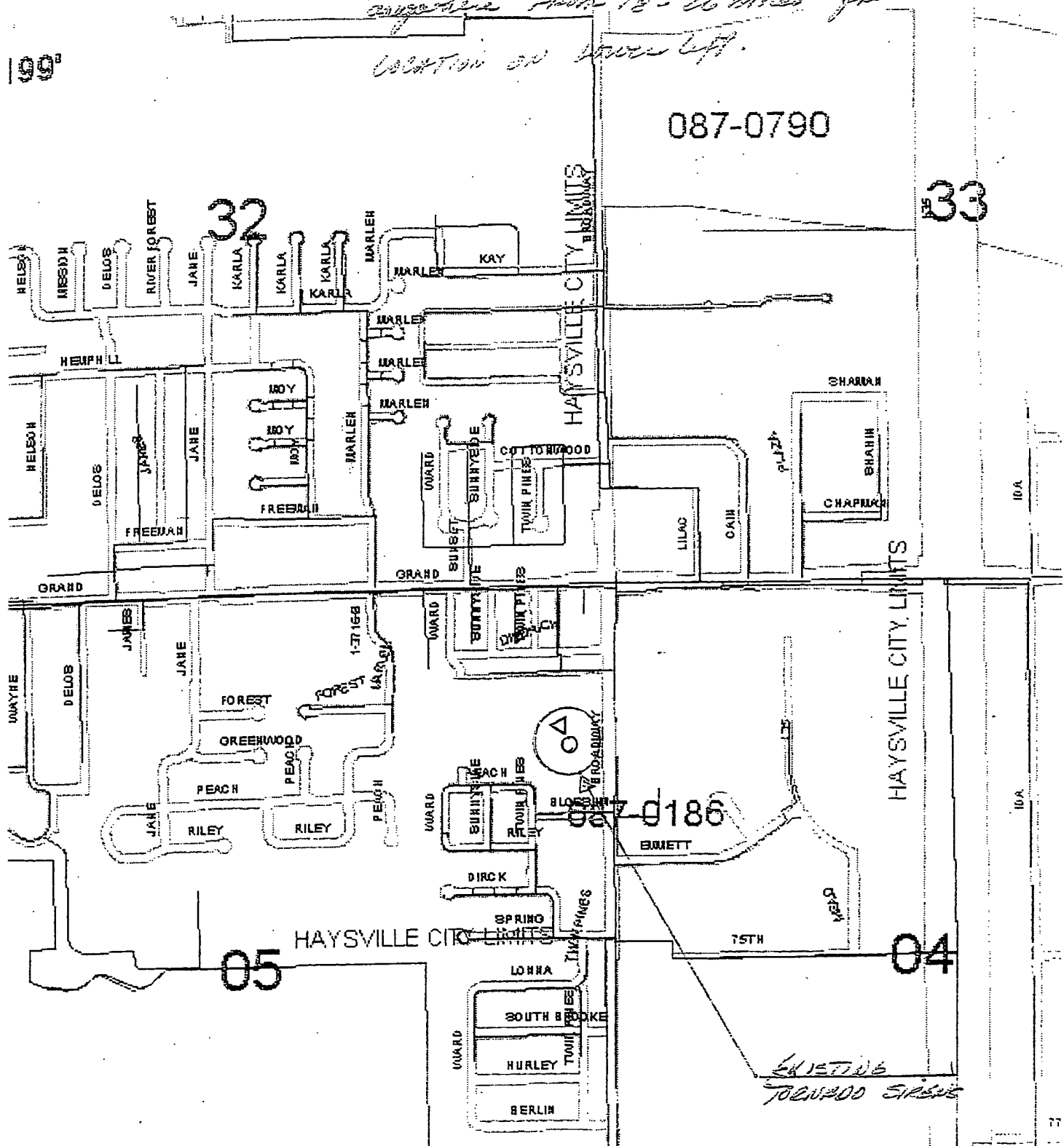
IN Home/OFFICE TORNA Alert system  
 will be activated at same time as  
 sirens.  
 Sirens only cover the city and do not  
 always heard inside homes for in rural

EXISTING  
 1"=1199' TORNA SIRENS



TOWER ANTENNA LOCATION  
 For IN Home/OFFICE TORNA  
 Alert system  
 Signal strength RANGE - 12 WATTS TO 25 WATTS  
 12-26 miles.

distance 2-5 miles - the in Home/office towards alert system has the ability to cover anywhere from 12-26 miles from the tower location on lower left.





**FILING RECEIPT**

\*OC000000005128761\*

**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**Address: ASSISTANT SECRETARY AND  
COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
60/189,160	03/14/2000		75	-	3		

Andre' Paul Guillory  
150 Peachwood Dr  
Haysville, KS 67060

Date Mailed: 05/19/2000

Receipt is acknowledged of this provisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

**Applicant(s)**

Andre' Paul Guillory, Haysville, KS ;

**Continuing Data as Claimed by Applicant****Foreign Applications**

If Required, Foreign Filing License Granted 05/19/2000

**\*\* SMALL ENTITY \*\*****Title**

In home/office tornado alert system

**Preliminary Class**

Data entry by : WITCHER, TARA



Team : OIPE

Date: 05/19/2000



# U.S. Patent & Trademark Office

## SEARCH REQUEST FORM

 (410) 792-0525 

① Use this form for both Patent Searches and Trademark Searches.  
Please attach any drawings, sketches or photographs (they will be returned with search results).

② Indicate type of search being requested and provide payment:  
☒ Patent Search fee is \$210  
☐ Trademark Search fee is \$110

③ Send search request to: **PATENT RESEARCH**  
8826 Washington Blvd.  
Jessup, MD 20794

④ Name of Inventor(s): ANDRE P. Guillory  
150 Peachwood Dr.  
Street  
Haysville Ks 67060  
City State Zip  
Telephone: (Home) (316) 522-9168 (Work) (316) 832-3152

### ◆ ◆ ◆ NON-DISCLOSURE STATEMENT ◆ ◆ ◆

PATENT RESEARCH, and its employees, agree to use the information provided by the inventor for purposes of a patent or trademark search. PATENT RESEARCH shall not reveal the subject matter to any other person or organization. All materials provided to PATENT RESEARCH shall be maintained in strict secrecy.

Rick Martin

Rick Martin

PLEASE HELP US IMPROVE! What did you like or dislike about our brochure?

## DESCRIPTION OF INVENTION

To the best of your ability, describe in your own words how your invention works. Attach any sketches, photographs or other written descriptive materials. REMEMBER, the better you describe your idea the more thorough research we can do for you.

NAME OF INVENTION OR TRADEMARK: TORNADO Alert System  
IN Home/office TORNADO Alert System.

This System would always be on stand by  
(such as fire alarm / C.O. Detectors) and will  
be powered by A.C. / with battery backup.  
When Tornado Sirens go off / <sup>in your vicinity</sup> the entire system  
for your General Area will set the alarm  
off in in your home / office / business.

This would happen Day or Night so that people  
Asleep would be alerted and could seek  
shelter. This project could be set up and  
constructed with Civil Defense, Police, Revenue  
whom ever was responsible for the Alert  
Systems of the any given area -

The system would be dual mode - land  
line - phone line / airways - Digital - Analog.

~~Patent Research and Market Research~~  
~~Research~~

Internal workings - Micro Processor - Control  
for 3 alert tones / STATUS WINDOW / phone plug / Battery  
cell area.

WE NOW ACCEPT

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#5

**PATENT**

Attorney Docket No. 390073

Express Mail Label No. EL830787035US

**IN THE UNITED PATENT AND TRADEMARK OFFICE**

Applicant(s): Guillory, Andre P.  
Serial No. 09/804,772  
Filed: March 13, 2001  
For: System for Selective Notification of  
Severe Weather Events

Examiner: Nguyen, P.

Group Art Unit: 2632

February 25, 2002

Box Fee Amendment  
Commissioner of Patents  
Washington, D.C. 20231

**REQUEST FOR EXTENSION OF TIME**

Applicant hereby petitions under 37 CFR 1.136(a) for a one (1) month extension of time in which to reply to the outstanding Office action carrying a response due date of January 23, 2002 (which was a Saturday). The undersigned hereby authorizes that the \$55.00 fee pursuant to 37 CFR 1.17(a)(1) be withdrawn from Deposit Account No. 12-0600. In the event that the

**CERTIFICATE UNDER 37 C.F.R. § 1.8 and § 1.10**

I hereby certify that, on the date shown below, this correspondence is being

- ☒ deposited with the United States Postal Service in an envelope addressed to Box Fee Amendment, Commissioner for Patents, Washington, D.C. 20231 with sufficient postage:

**MAILING**

- ☐ 37 C.F.R. § 1.8  
as first class mail.

- ☒ 37 C.F.R. § 1.10  
as "Express Mail Post Office to Addressee"  
EXPRESS MAIL NO.EL830787035US

**FACSIMILE TRANSMISSION**

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Wendy Precht  
Name of Depositor

Wendy Precht  
Signature

2/25/02  
Date

03/01/2002 GTEFFERA 00000097 120600 09804772

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**PATENT**

Attorney Docket No. 390073

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foregoing request or fee calculations are incorrect, this request should be construed as one for sufficient time to permit the timely filing of the present reply. Any additional fee that might be due in connection with this request should be applied against Deposit Account No. 12-0600.

Respectfully submitted,

LATHROP & GAGE L.C.

A handwritten signature in black ink, appearing to read "James M. Stipek", is written over a horizontal line.

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